

Public Policy Agenda  
and Proposals  
to the  
Governor and State Legislature

*2007-2008 Session*

*California  
Commission on the  
Status of Women*

# Public Policy Agenda and Proposals to the Governor and State Legislature

## 2007-2008 Session

For more than four decades, the California Commission on the Status of Women has carried out its mandate to advocate for women and girls in California. To better identify their needs, the Commission held public hearings in the fall of 2006 in Los Angeles, Fresno, and Sacramento. The following proposals, based in part on the public hearings, are designed to meet important human needs and to eliminate inequities for women, thereby benefiting all citizens of California. We urge your serious consideration of these recommendations.

State of California  
Commission on the Status of Women  
1303 J Street, Suite 400  
Sacramento CA 95814-2900

916-445-3173  
Fax 916-322-9466  
Email [info@women.ca.gov](mailto:info@women.ca.gov)  
[www.women.ca.gov](http://www.women.ca.gov)

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• *The proposals in this document are not listed in order of importance •*

## 2007-2008 Priorities

As priority areas being proposed to the Governor and State Legislature, the Commission supports the following agenda:

1. Increase and streamline funding for quality child care for children from birth to age five in low-income families (*Child Care*)
2. Establish a state-level office of equity to carry out oversight and enforcement responsibilities regarding state and federal educational equity laws, including Title IX (*Equality*)
3. Prohibit employment discrimination based on familial status/caregiving responsibilities (*Employment*) **SB 836 (KUEHL)--Vetoed**
4. Expand the Paid Family Leave Act to add grandparents, siblings, in-laws, and grandchildren as family members needing care (*Employment*) **SB 727 (KUEHL)--Vetoed**
5. Require that all data collected on women for state purposes provide statistics on all ethnic groups (*Equality*) **AB 295 (LIEU)—Required certain state agencies to use separate data collection categories for certain Asian and Pacific Islander groups--Vetoed**
6. Require judicial education regarding the dynamics of domestic violence and child abuse (*Family Law*)
7. Establish a single payer universal health care system for all California residents (*Health*) **SB 840 (KUEHL)—Assembly Appropriations Committee**
8. Improve access to birth control and emergency contraception (*Reproductive Health*)
9. Provide Medi-Cal or other low-cost coverage for over-the-counter emergency contraception for low-income women (*Reproductive Health*)
10. Promote the development of more adult daycare facilities to accommodate individuals with dementia and other impairing conditions (*Long Term Care & Aging*)
11. Increase funding for sexual assault and domestic violence programs (*Violence*)
12. Prohibit employment discrimination on the basis of the individual being a victim of domestic violence, sexual assault or stalking (*Violence*)
13. Provide specialized services, education and service/protocol coordination, case management, intervention and prevention programming for sexually exploited minors (*Sexually Exploited Minors*) **AB 499 (SWANSON)—Originally was a more comprehensive bill; has been amended to create a pilot project in Alameda County for the purpose of diverting sexually exploited minors into supervised counseling and treatment programs--Senate Public Safety Committee**
14. Require the State Department of Education to include teen dating violence education in its current health curriculum framework (*Teen Dating Violence*) **AB 589 (LEVINE)—Died on Assembly Appropriations Suspense File**

15. Place CalWORKs participants who receive services for domestic violence, substance abuse or mental health into the Temporary Assistance Program until the family is able to meet work participation requirements (*Welfare*)
16. Revise state TANF rules to provide incremental cash benefits for children born into families already receiving cash assistance (elimination of family cap) (*Welfare*) **AB 22 (LIEBER)—Died on Assembly Appropriations Committee Suspense File**
17. Establish community-based facilities and programs within the Department of Corrections and Rehabilitation for women convicted of non-violent and non-serious crimes (*Women in Prison*) **AB 76 (LIEBER)—Amended to remove the establishment of community-based facilities; the final version (signed into law) created a gender-based master plan for incarcerated women**
18. Abolish in-house prison infirmary visit charges to prisoners (*Women in Prison*)
19. Provide drug and alcohol programs to serve adolescents before they become part of the adult correctional system (*Girls in the Juvenile Justice System*)
20. Fund gender responsive programs for girls that are an alternative to custody in the juvenile justice system (*Girls in the Juvenile Justice System*)

## Priority Study Proposals

1. A statistical analysis of the status of women and girls in California to better inform public policy and state planning ***The Commission is working with the Women's Foundation to produce this report***
2. A study of female veterans in California, including their need for services and statistical information on combat experiences
3. An update of the 1987 "Senate Task Force On Family Equity" report on family law ***The Senate Office of Research (SOR) is planning to do this update pursuant to a request from the Commission and Tam Ma, staff to Senator Kuehl***
4. A study of gender fairness in the California family courts
5. A study to create a "baseline" picture of the incidence of sexually exploited minors regionally and statewide

# Legislative Proposals

## Child Care

Working families need access to affordable, high quality early care and education that will provide a safe environment and strong foundation for children. In California, more than half of women with children under age six are in the workforce, many in low-paying jobs. Current funding is insufficient to ensure the basic health and safety of children, and is far from providing the nurturance and developmental opportunities California's children deserve. To increase the availability of high quality child care to all families, the Commission supports the following agenda:

1. Increase and streamline funding for quality child care for children from birth to age five in low-income families, including increased access to care for families with nontraditional work schedules (*Priority*)
2. Develop a comprehensive master plan for early care, education and after school care
3. Advocate for universal preschool with high quality early learning standards
4. Ensure Community Care Licensing protects children's safety through increased monitoring of programs, timely resolution of noncompliance issues and effective response to complaints
5. Increase provision of high quality services by supporting programs to recruit and retain child care professionals, including access to education, training, resources, technical assistance, and increased compensation.

## Employment

The number of women in the workforce has steadily increased, rising to 59.3 percent of women age 16 and over in 2005. Women comprise almost half of the total U.S. labor force but still earn less than men, frequently have major caregiving responsibilities in addition to their job duties and are often the victims of discrimination and harassment. To address the employment inequities faced by women, the Commission supports:

1. Expand the Paid Family Leave Act to add grandparents, siblings, in-laws, and grandchildren as family members needing care (*Priority*) **SB 727 (KUEHL)--Vetoed**
2. Remove administrative barriers to workers using Paid Family Leave, including improving awareness of CA's paid family leave law among workers and physicians
3. Amend the California Family Rights Act (CFRA) to include seriously ill adult children, parents-in-law, grandparents, and siblings as family members for whom an employee may take leave to provide care **AB 537 (SWANSON)--Vetoed**

4. Prohibit employment discrimination based on familial status/care-giving responsibilities (*Priority*) **SB 836 (KUEHL)--Vetoed**
5. Prohibit arbitration agreements between employers and employees that require employees, as a condition of employment, to waive their rights regarding sexual harassment, discrimination and other protections provided by FEHA
6. Continue to strengthen pay equity legislation and its enforcement **AB 435 (BROWNLEY)—Vetoed; AB 437 (JONES)—Assembly Inactive File**
7. Require tribal casinos to extend civil rights protections to non-Indian employees
8. Support automatic adjustment of the minimum wage to keep pace with the rate of inflation

## Equality

While laws addressing equality have made great differences for women, implementation of laws is not always consistent. In addition, issues of both race and gender still need to be addressed. To move closer to true equality, the Commission supports the following agenda:

1. Establish a state-level office of equity to carry out oversight and enforcement responsibilities regarding state and federal educational equity laws, including Title IX, and to provide technical assistance to school districts and community colleges (*Priority*)
2. Support programs to encourage participation by girls in math, science and technology to increase interest in high-wage high-demand careers
3. Support a college/career preparatory curriculum for all high school students to assure postsecondary options for all students upon graduation **AB 178 (COTO)—Senate Education Committee Suspense File**
4. Require that data collected on women for state purposes provide statistics on all ethnic groups in order to develop public policy that better addresses their unique needs with respect to health care, education, and other services (*Priority*) **AB 295 (LIEU)—Required certain state agencies to use separate collection data categories for certain Asian and Pacific Islander groups--Vetoed**
5. Increase English as a Second Language (ESL) programs for immigrant communities, with ready access within the local community
6. Conduct a pilot project with selected state agencies to determine how program implementation addresses the issues raised in the Convention for the Elimination of Discrimination Against Women

## Family Law

California is failing to protect its most vulnerable children. Whether it is child support – a critical source of economic stability for low-income families, the foster care system, or the family courts, the rights and safety of many women and children are at risk. Courts are overburdened and court personnel often lack knowledge and resources needed to address the complex issues of domestic violence and child abuse. Often women suffer financially and emotionally as a result of unjust rulings. In order to improve outcomes for children and families, the Commission supports the following agenda:

1. Require judicial education regarding
  - the dynamics of domestic violence and child abuse, including the invalidity of the “Parental Alienation Syndrome” (PAS) (*Priority*)
  - transgender individuals to prevent discrimination due to a parent’s transgender status in child custody matters
2. Require child custody matters involving allegations of child abuse or domestic violence to be heard by a cross-designated juvenile and family law judge with expertise in the dynamics of domestic violence and child abuse
3. Establish a multidisciplinary team of professionals with expertise in assessing child abuse and domestic violence to evaluate cases when child custody is in dispute and there is an allegation of child abuse or domestic violence against one of the parties
4. Strengthen the right of custodial parents to relocate without the risk of losing custody of children
5. Strengthen requirements for the reporting and verifying of income by non-custodial parents
6. Establish a Statewide Leader for child Welfare and Foster Care Coordination in the California Health and Human Services Agency
7. Support a State General fund appropriation of \$30 million to backfill lost federal matching incentive funds for administrative costs in the child support program

## Health

California’s health care system is in crisis. More than six million residents are uninsured. Only 34 percent of women in California are insured directly through their employer and employers are reducing dependant care coverage. Many women, especially those of color, have lower wage jobs and are less able to afford health plan co-payments and deductibles, therefore often postponing needed medical services. To increase the quality of health care for all of California’s diverse population, the Commission supports the following agenda:



1. Establish a single payer universal health care system that would provide access to comprehensive health care for all California residents (*Priority*) **SB 840 (KUEHL)—Assembly Appropriations Committee**
2. Address the healthcare needs of women through
  - Preventive health care programs for low-income women
  - Programs for women of post-child-bearing years
  - Expanded eligibility for services, including services to immigrants
  - Efforts to provide health care coverage for low-income adults without access to affordable healthcare
  - Prohibit the sale of cosmetics that contain phthalates
3. Establish a statewide heart disease prevention and services program for women
4. Improve access to women's mental health programs through
  - Outreach that promotes mental health and wellbeing for Latinas
  - Short-term (3 to 6 months) mental health programs for women and girls
  - Linking mental health to substance abuse programs
  - Education on the relationship of depression to sexual trauma and abuse
  - Cultural competency training for mental health providers and clinic staff to remove bias based on ethnicity
5. Provide methamphetamine prevention and recovery programs for women and girls
6. Increase Medi-Cal and Medicaid reimbursement rates for health care providers to assure access to health care for low-income women
7. Establish educational campaigns on
  - LGBT health issues for medical providers and insurers
  - the unique needs of aging women, including women of color
8. Support increased funding of nurse education, including compensation adequate to ensure recruitment and retention of qualified nurse educators
9. Support early identification of, and intervention for, children with developmental delays and disabilities, with special attention to gender disparities in all treatments and programs
10. Restrict the use of "pre-existing condition" in health care plans
11. Increase access to transitional housing, including cooperative living arrangements, for up to a year for recovering alcohol and other drug abusers and their children
12. Prohibit health insurance plans from containing a "transgender exclusion" that excludes coverage for procedures and treatments related to being transgender

13. Require healthcare plans to include treatment of sexual trauma and abuse as reimbursable mental health services

## Reproductive Health

Women's reproductive rights continue to be under attack. Low-income women face barriers to accessing reproductive health care services, including contraception. HIV/AIDS is increasingly affecting women. To reduce teen pregnancy, it is critical for teens to receive accurate, comprehensive sex education. To protect the reproductive health and safety of women, the Commission supports the following agenda:

1. Improve access to birth control and emergency contraception, including continued education on pharmacy access (*Priority*)
2. Provide Medi-Cal or other low-cost coverage for over-the-counter emergency contraception for low-income women (*Priority*)
3. Support microbicide research to improve the prevention of sexually transmitted diseases and HIV/AIDS and to provide women with greater control over their reproductive health
4. Provide education about HPV (human papillomavirus) and access to HPV vaccine
5. Increase funding of breast and cervical cancer programs serving low-income, underserved and underinsured women and girls
6. Provide access to condoms in prison to reduce the spread of HIV/AIDS among prisoners **AB 1334 (SWANSON)--Vetoed**
7. Develop or strengthen programs that address the issue of women and HIV/AIDS, especially minority women, with appropriate public education, testing, and female-specific research on HIV medication dosages for women
8. Require any sex education program that receives state funds to be unbiased, comprehensive, and medically accurate **AB 629 (BROWNLEY)—Signed into law**

## Teen Pregnancy & Parenting

While teen birth rates have decreased, teen pregnancy continues to be a problem in California. Eighty-three percent of teens that give birth are low-income or living in poverty and two of every three of their babies are born to Latinas. Many of these young women have lower educational attainment because seventy percent of them drop out of high school. To increase success for all youth, including parenting teens, the Commission supports the following agenda:

1. Increase supportive programs for expectant and parenting teens, including increased Cal-SAFE funding with access to transportation and child care in order to decrease drop-out rates and increase high school graduation rates
2. Provide continued funding for statewide data collection and evaluation of the Cal-SAFE program
3. Request an audit of how expectant and parenting adolescents are provided with necessary services, including the use of Cal-SAFE funding by local school districts, to identify gaps in services
4. Fully fund and support medically accurate comprehensive sexuality education programs that link sexually active youth with reproductive health services to continue the downward trend in the teen pregnancy rate statewide, including monitoring of schools to ensure compliance with state law

## Long Term Care & Aging Issues

Nationwide, 59% to 75% of long-term caregivers are women. California leads the way with an estimated 3.4 million caregivers. In addition, the aging population has far more women than men (twice as many women as men over the age of 85). To better address the growing needs of an aging population, the Commission supports the following agenda:

1. Promote the development of more adult daycare facilities to accommodate individuals with dementia and other impairing conditions (*Priority*)
2. Increase state funding for 11 regional caregiver resource centers

## Violence

Nearly six percent of California women (620,000 a year) experience violence or physical abuse by intimate partners. One-third of all female homicide victims were killed by their intimate partner. Twenty percent of high school girls report physical or sexual violence from a dating partner, putting them at risk of leaving school, considering suicide, use of drugs, etc. Violence also affects a growing number of youth who are sexually exploited by adults. In view of these realities, the Commission supports the following agenda:

1. Increase funding for sexual assault and domestic violence (DV) programs with special attention to the following:
  - DV services, including education and shelters for women and children (*Priority*)
  - Sexual assault services and education programs (*Priority*)
  - Culturally appropriate programs, especially in remote rural areas, for Latino and other immigrant families (*Priority*)

2. Prohibit employment discrimination against individuals on the basis of an individual being a victim of domestic violence, sexual assault or stalking *(Priority)*
3. Fund an integrated statewide domestic violence data collection system
4. Require more extensive training of law enforcement, especially rural officers, on domestic violence and sexual assault issues
5. Re-examine victim services eligibility for victims of violent crimes who have criminal histories
6. Provide protections for the use of RFID chips (radio frequency identification tags that broadcast personal information) in government-issued identity documents ***SB 29 (SIMITIAN)—Assembly Inactive File; SB 31 (SIMITIAN)—Assembly Desk; SB 362 (SIMITIAN)—Signed into law; SB 388 (CORBETT)—Assembly Inactive File***

## Violence • Sexually Exploited Minors

1. Provide specialized services, education and service/protocol coordination, case management, intervention and prevention programming for sexually exploited minors *(Priority)* ***AB 499 (SWANSON)—Originally was a more comprehensive bill; has been amended to create a pilot project in Alameda County for the purpose of diverting sexually exploited minors into supervised counseling and treatment programs--Senate Public Safety Committee***
2. Develop standardized definition/common language re “exploited minors” to be used across systems defining a sexually exploited minor as a victim
3. Require that a sexually exploited minor taken into custody by law enforcement be housed at a juvenile facility on a victim custody hold until the best placement option and services are identified and initiated
4. Provide sexually exploited minors with the right to an advocate in court-related proceedings

## Violence • Teen Dating Violence

1. Require the State Department of Education to include teen dating violence education, including prevention and healthy relationships, in its current health curriculum framework *(Priority)* ***AB 589 (LEVINE)—Died on Assembly Appropriations Suspense File***
2. Require school districts to establish a policy and protocol for preventing teen dating violence in middle and high school, including education and training for students, educators and staff with curriculum developed in consultation with experts in this field ***AB 589 (LEVINE)—Died on Assembly Appropriations Committee Suspense File***

3. List dating violence as a separately enumerated offense for which students can be suspended or expelled under California's Education Code ***AB 589 (LEVINE)—Died on Assembly Appropriations Suspense File***

## Welfare

Twenty-eight percent of California households headed by a single adult, usually a woman, live in poverty. The CalWORKs program is a time-limited critical safety net for these families. To move from poverty, participants need education and job training and help in overcoming barriers to successful employment, including substance abuse, mental health problems and domestic violence. In order to improve outcomes for CalWORKs participants, most of whom are women, the Commission supports the following agenda:

1. Place CalWORKs participants who receive services for domestic violence, substance abuse or mental health into the Temporary Assistance Program until the family is able to meet work participation requirements *(Priority)*
2. Revise state TANF rules to provide incremental cash benefits for children born into families already receiving cash assistance (elimination of family cap) *(Priority)*  
***AB 22 (LIEBER)—Died on Assembly Appropriations Committee Suspense File***
3. Support cost of living increases for CalWORKs participants and oppose cuts proposed in the welfare services budget ***Ongoing lobbying on state budget proposals***
4. Provide incentive payments to CalWORKs families who meet federal work requirements through employment
5. Extend CalWORKs eligibility to adults in recovery for substance abuse and with custody of children upon release from incarceration
6. Require counties to count study time as part of CalWORKs work participation requirements
7. Require counties with significant immigrant populations to provide vocational ESL for CalWORKs participants
8. Replace the quarterly CalWORKs eligibility determination requirement with semi-annual determination
9. Establish a six-month state-funded compliance period with benefits for teens who are in the process of establishing eligibility for Cal-Learn
10. Require each county to have at least one eligibility worker with special knowledge of programs serving teens responsible for managing CalWORKs aid applications for pregnant and parenting teens
11. Exercise federal options to pass more child support through to CalWORKs recipients and former recipients ***AB 176 (JONES)—Amended to delete the***

*provision requiring pass-through of more child support; the final version (signed into law) implements other child support program provisions contained in the federal Deficit Reduction Act of 2005*

12. Support statewide use of the Self-Sufficiency Standard, including use at county and local levels, and recalculation of the standard annually

## Women in Prison

California's drug offense and three-strikes laws have contributed to a dramatic increase in incarcerated women (currently almost 12,000), in a system designed for male offenders. To facilitate the rehabilitation and treatment of women prisoners, the majority of whom are low-risk and non-violent, the Commission supports the following agenda:

1. Implement the recommendations of the Little Hoover Commission and the Gender Responsive Strategies Commission of the California Department of Corrections and Rehabilitation (CDCR), providing for gender appropriate services within the prisons, including the following:
  - Establish community-based facilities and programs with a strong emphasis on rehabilitation for women convicted of non-violent and non-serious crimes  
*(Priority) AB 76 (LIEBER)—Amended to remove the establishment of community-based facilities; the final version (signed into law) created a gender-based master plan for incarcerated women*
  - Develop and implement a plan to train new service providers for community-based facilities, including training on the issues of alcohol and other drugs
  - Develop a strong public relations campaign to gain community support for new facilities
  - Seek more funding for rehabilitation and re-entry job training and skills development for women in prison, including nontraditional occupations
  - Conduct a comprehensive review of operational practices in women's prisons to determine if changes are needed in order to be gender responsive to women's needs
  - Support the prohibition against cross-gender pat searches
2. Seek sentencing reform to move away from the punitive model now in place for low-risk inmates
3. Develop specific programs to reunite women with their children, including revising regulations that govern Child Protective Services and Foster Care, to enable incarcerated women to successfully comply with reunification plans and regain custody of their children upon release

4. Require that all medical personnel in female prisons be state licensed and preferably board certified in a women's health specialty area and that medical services be provided by appropriate medical personnel.
5. **Abolish in-house prison infirmary visit charges to prisoners** (*Priority*)
6. Assess the prison population of women over 55 with life sentences, excluding those sentenced for life without parole, and conduct a comprehensive risk assessment to determine who would be eligible for parole
7. Conduct a review of compassionate release cases and determine how the process can be streamlined to ensure that offenders who meet the criteria are released in a timely manner **AB 1539 (KREKORIAN)—Signed into law**
8. Require transgender cultural competency training for CDCR staff and contract employees

## Girls in the Juvenile Justice System

The number of girls in the juvenile justice system has increased dramatically in recent years. Public testimony addressed the need for increased enrichment programs for all youth at the local level. In addition, to reduce the number incarcerated, the system must address the need for treatment programs and for greater oversight of the system itself. For these reasons, the Commission supports the following agenda:

1. **Fund gender responsive programs for girls that are an alternative to custody in the juvenile justice system** (*Priority*)
2. Seek enforcement of responsible oversight of the systems for girls in local and state detention facilities
3. Address barriers, including funding, to provide drug and alcohol programs to serve adolescents before they become part of the adult correctional system (*Priority*)
4. Ensure that eligible incarcerated youth are enrolled in Medi-Cal and that Medi-Cal benefits are available to them when they are released from custody

## Women Veterans

The role of women in the military has changed significantly in the past decade. Currently 15% of active duty military personnel are women. Of the 1.7 million women veterans nationally, 165,000 reside in California – more than any other state. Because programs serving veterans have traditionally focused on men, women veterans returning from duty in conflict areas frequently lack access to services that are gender specific. To help address their needs, the Commission supports the following agenda:

1. Provide funding to augment services to women veterans

2. Build criteria into transitional housing, mental health and trauma services that address the increased needs of veterans who have experienced combat related trauma, with attention to the unique needs of women veterans and their children

## Administrative Recommendations

Within state administration of programs and services, the Commission supports the following recommendations:

### Health

1. Improve access to health care for women with disabilities
2. Develop more culturally and linguistically-appropriate outreach programs and services to reach hard-to-serve Southeast Asian-American women and newly arrived Hmong refugees about pervasive diseases such as cancer and hepatitis
3. Improve enforcement of pesticide regulations designed to protect the health of farm workers
4. Streamline the process of establishing eligibility for services through language-appropriate community-based centers and provide health care service guidebooks in multiple languages with information on accessing services
5. Convene California women's health and reproductive rights advocates to discuss the implications of new genetic and reproductive technologies on women's health and rights
6. Conduct informational hearings for policymakers on new genetic and reproductive technologies
7. Change regulations to allow pharmacists to presumptively enroll women in Family PACT and Medi-Cal in order to ensure low-income women have access to emergency contraception
8. Include emergency contraception awareness information in reproductive health materials distributed by the state

### Economic Status

9. Support development of an Elder Self-Sufficiency Standard for California
10. Seek regulation changes that allow family members receiving compensation to receive Social Security credit for staying home and caring for elderly and disabled family members
11. Seek changes in the new federal requirement that U.S. citizens, applying for assistance of any kind, must provide a certified birth certificate in order to receive services



12. Amend the State Plan for implementation of the Workforce Investment Act to include a strong initiative to train women for non-traditional, higher-paying jobs

## Education

13. Promote nontraditional occupations, including registered apprenticeship, to girls and women in the educational system, especially through career and technical education programs and counseling
14. Encourage community colleges to offer courses in Spanish for Latinas interested in child development careers as a means of increasing the pool of child care workers

## Study Proposals

To better define problems facing women and girls in California, the Commission supports the following studies:

1. A statistical analysis of the status of women and girls in California in order to better inform public policy and state planning (*Priority*) ***The Commission is working with the Women's Foundation to produce this report***
2. A study of female veterans in California, including their need for services and statistical information on combat experiences (*Priority*)
3. An update of the 1987 "Senate Task Force On Family Equity" report on family law (*Priority*) ***The Senate Office of Research (SOR) is planning to do this update pursuant to a request from the Commission and Tam Ma, staff to Senator Kuehl***
4. A study of gender fairness in the California family courts (*Priority*)
5. A study to create a "baseline" picture of the incidence of sexually exploited minors regionally and statewide, including contributing risk factors, in order to determine how and where to allocate resources (*Priority*)
6. A study of disparities in services to victims of sexual assault
7. Research on evidence-based practices to serve girls with mental illness in the juvenile justice system
8. A study of access to necessary services in rural communities, including the Central Valley, and recommendations for addressing needs (domestic violence, child care, health, transportation, teen parents, etc.)
9. A study of the viability of developing teen health centers in the local high schools in rural areas, including Fresno County and other Central Valley counties.

# California Commission on the Status of Women

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## Executive Director

Mary M. Wiberg

## Legislative Director

Beth McGovern

*Developed under the leadership of Holly Mitchell, Immediate Past Chair of the California Commission on the Status of Women*